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#16



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David A. Edwards, Robert S. Langer, Rita Vanbever, Jeffrey Mintzes,
Jue Wang and Donghao Chen

Patent No.: 5,985,309 Date Issued: November 16, 1999

Application No.: 08/971,791 Group: 1616

Filed: November 17, 1997 Examiner: K. Shelborne

For: Preparation of Particles for Inhalation

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>October 25, 2000</u>	<u>Jean A. White</u>
Date	Signature
<u>Jean A. White</u>	
Typed or printed name of person signing certificate	

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OFFICE OF PETITIONS

PETITION UNDER 37 C.F.R. 1.183

Assistant Commissioner for Patents

Box DAC

Washington, D.C. 20231

Sir:

This Petition is submitted under 37 C.F.R. 1.183 requesting the requirements of 37 C.F.R. 3.81 be waived. Patentee states that the correct names of the Assignees were named in the Assignment documents which were submitted to the Patent and Trademark Office on December 17, 1997 and recorded on December 22, 1997, reel 8874, frame 0374 (8 pages).

Applicant has received a Communication from the Decision & Certificates of Correction Branch denying the issuance of a Certificate of Correction. Applicant respectfully submits that the denial was in error.


The Commissioner's attention is directed to a copy of the Issue Fee Transmittal and the postcard receipt stamped by the USPTO indicating that both the Issue Fee Transmittal sheet and "Part B - Issue Fee Transmittal Addendum" were received. The "Part B-Issue Fee Transmittal" indicates the name and address of the second Assignee who was apparently inadvertently omitted by the Patent Office. Also enclosed is a copy of the Assignment Recordation Coversheet which reflects the name of the omitted Assignee, The Penn State Research Foundation.

Patentees Attorney includes the Petition fee as set forth under Section 1.17(h) (\$130.00). The Patentee believes that the error was made on the part of the Patent Office, and not the Patentee thus no further charges should be deemed necessary. Nonetheless, authorization is hereby granted to charge *any* additional fee which the Patent Office deems necessary to grant the Certificate of Correction. A copy of this authorization is enclosed for accounting purposes.

Any questions concerning this Petition may be directed to the undersigned at the number indicated below.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

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Lexington, Massachusetts 02421-4799
Dated: 25 October 2000